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TO: Mail Stop Amendment  
Examiner: Ryan A. JARRETT  
Art Unit: 2125

FAX: (703) 872-9306

FROM: K. Scott O'Brian

Direct Dial: (717) 237-5492

TOTAL NUMBER OF PAGES, INCLUDING THIS COVER LETTER: 21

**MESSAGE:**

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Transmittal Form  
Certificate of Fax Transmittal  
Response Under 37 C.F.R. 1.111 (18 pages)

Attorney Docket No.: 20714-0033  
Application No.: 10/824.804  
Filed: April 15, 2004

**FAX NUMBER: (717) 237-5300**

PARALEGAL RESPONSIBLE: Kimberly A. Newell TELEPHONE: (717) 237-5239

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P10/S6/21 (02-04)

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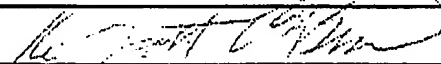
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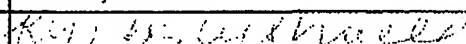
<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/824.804
		Filing Date	April 15, 2004
		First Named Inventor	HARROD et al.
		Art Unit	2125
		Examiner Name	Ryan A. JARRETT
Total Number of Pages in This Submission	21	Attorney Docket Number	20714-0033

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Certificate of Fax Transmittal</b>
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	McNees Wallace & Nurick LLC K. Scott O'Brian, Attorney Reg. No. 42,946
Signature	
Date	April 18, 2005

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Typed or printed name	Kimberly A. Newell		
Signature		Date	April 18, 2005

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Application No. 10/824,804  
Attorney Docket No. 20714-0033

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: HARROD et al. :  
: :  
Application No.: 10/824,804 : Group Art Unit: 2125  
: :  
Filed: April 15, 2004 : Examiner: Ryan A. JARRETT  
: :  
For: METHOD AND APPARATUS TO PREVENT LOW TEMPERATURE DAMAGE  
USING AN HVAC CONTROL.

**RESPONSE UNDER 37 C.F.R. 1.111**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please consider the following Response for the above-referenced Application.

**A) INTRODUCTORY COMMENTS**

This Response is filed in response to the Office Action dated January 19, 2005.

The **Amendments to the Specification** section begins on page 2 of this Response.

The **Amendments to the Claims** section begins on page 3 of this Response and any amendments to the claims are reflected in the listing of the claims included therein.

The **Amendments to the Drawings** section begins on page 8 of this Response.

The **Remarks/Arguments** section begins on page 9 of this Response.

Application No. 10/824,804  
Attorney Docket No. 20714-0033

**B) AMENDMENTS TO THE SPECIFICATION**

None.